

government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on June 22, 1995 (unless stayed pending reconsideration). Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>3</sup> must be filed by June 2, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 12, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental

assessment (EA) by May 26, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: May 16, 1995.

By the Commission, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Vernon A. Williams,**

Secretary.

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on May 15, 1995 a proposed Joint Stipulation And Order of Dismissal in *United States v. Jeffrey M. Kanter and Kanter Cars, Inc.* Civil Action No. 1:95 CV 1073 was lodged with the United States District Court for the Northern District of Ohio. This Joint Stipulation And Order of Dismissal represents a settlement of claims against Jeffrey M. Kanter and Kanter Cars, Inc. for violations of the Clean Air Act.

On May 15, 1995, the United States filed a Complaint pursuant to Sections 204 and 205 of the Clean Air Act ("CAA" or "the Act"), 42 U.S.C. 7523 and 7524, for injunctive relief and assessment of civil penalties against Jeffrey M. Kanter and Kanter Cars, Inc. The Complaint alleged that Jeffrey M. Kanter and Kanter Cars, Inc. violated CAA Section 203(a)(1), 42 U.S.C. 7522(a)(1), by manufacturing and selling Citroen 2CV based automobiles which were not covered by certificates of conformity issued under CAA Section 206(a), 42 U.S.C. 7525(a). The United States, Jeffrey M. Kanter, and Kanter Cars, Inc. have reached a settlement which resolves the issues set forth in the Complaint. Under this settlement, Jeffrey M. Kanter and Kanter Cars, Inc. will pay the United States a civil penalty of \$4800.00.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Joint Stipulation And Order of Dismissal.

Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Jeffrey M. Kanter and Kanter Cars, Inc.*, D.J. ref. 90-5-2-1-1870A.

The proposed Joint Stipulation And Order of Dismissal may be examined at the Office of the United States Attorney, Northern District of Ohio, 1800 Bank One Center, 600 Superior Ave., Cleveland, OH 44114-2600 and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. A copy of the proposed Joint Stipulation And Order of Dismissal may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$2.00 (25 cents per page reproduction costs) payable to the Consent Decree Library.

**Joel M. Gross,**

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 95-5]

### Request for Comments on the Waiver of Moral Rights in Visual Artworks

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice of hearing and request for public comment.

**SUMMARY:** The Copyright Office is holding a public hearing to solicit comments on the effect of the waiver of moral rights provision of the Visual Artists Rights Act of 1990 (VARA). Section 608 of VARA requires the Copyright Office to study the effect of VARA's waiver provision and to publish its findings. To fulfill the statutory obligations of section 608, the Copyright Office is examining the extent to which authors waive moral rights in their visual artworks under the waiver provision. The Office also will accept written comments.

**DATES:** The public hearing will be held on Wednesday, June 21, 1995, from 10:00 a.m. to 4:00 p.m. Requests to present oral testimony at the hearing should be received on or before June 16, 1995. Written comments by those persons testifying at the hearing should

<sup>1</sup> A stay will be issued routinely where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental grounds is encouraged to file promptly so that the Commission may act on the request before the effective date.

<sup>2</sup> See *Exempt. of Rail Abandonment Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

<sup>3</sup> The Commission will accept late-filed trail use statements so long as it retains jurisdiction.